

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office

NOV 22 1974

Returned to applicant for correction

Nov. 22, 1974, under
28963

Corrected application filed

Map filed

The applicant The Anaconda Company

P. O. Box 65

of

Wendover

Street and No. or P.O. Box No.

City or Town

Utah 84083

State and Zip Code No.

Point of Diversion

, hereby make^S application for permission to change the

of water heretofore appropriated under Permit No. 28463

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is Underground Well No. 5B
Name of stream, lake or other source.
2. The amount of water to be changed 1 cfs
Second feet, acre feet.
3. The water to be used for Mining & Milling
If for stock state number and kind of animals.
4. The water heretofore used for Mining & Milling
If for stock state number and kind of animals.
5. The water is to be diverted at the following point NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15, T.29N., R.67E.,
M.D.B. & M. whence the S.W. Corner of Section 30 T.29N., R.67E.,
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be
M.D.B. & M. bears S. 53°11'50" W., 21,423.84 feet distant.
stated.
6. The existing point of diversion is located within NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 25 T.29N., R.66E.,
M.D.B. & M. whence the S.E. Corner of said Section 25 bears S.39°45'
If point of diversion is not changed, do not answer.
03" E., 1992.12 feet distant.
7. Proposed place of use Portions of the W $\frac{1}{2}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5. NW $\frac{1}{4}$ Section
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
4. All in T.28N., R.66E., M.D.B. & M.
8. Existing place of use Portions of the W $\frac{1}{2}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 5. NW $\frac{1}{4}$ Section
Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.
4. All in T.28N., R.66E., M.D.B. & M.
9. Use will be from January 1st to December 31st of each year.
Day and Month Day and Month
10. Use has been from January 1st to December 31st of each year.
Day and Month Day and Month
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Through 6 inch pipeline
State manner in which water is to be diverted, whether by dam or other works,
whether through pipes, ditches, flumes, or other conduits.

12. Estimated cost of works.....\$100,000.00
13. Estimated time required to construct works.....1 year
14. Estimated time required to complete the application of water to beneficial use.....1 year
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This well will be used in conjunction with Well No. 5A so the applicant can be assured of pumping 1 cfs total between either Well No. 5A or Well No. 5B or both wells together.

Compared bs/jw lk/ga Applicant The Anaconda Company
s/ Richard W. Forman
By Richard W. Forman, Agent
P. O. Box 150
Ely, Nevada 89301

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 28463 is issued subject to the terms and conditions imposed in said Permit 28463 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

The total combined duty of water under this permit and Permit 28962 shall not exceed 235.9 million gallons annually.

The total combined amount of water granted under this permit and Permit 28964 is limited to what the well covered under the two permits is capable of producing. If certificates of appropriation are issued under this permit and Permit 28964, the total combined amount of appropriation granted in said certificates shall not exceed what the well covered under the two permits is capable of producing.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second... but not to exceed

235.9 million gallons annually.

Actual construction work shall begin on or before.....September 21, 1975

Proof of commencement of work shall be filed before.....October 21, 1975

Work must be prosecuted with reasonable diligence and be completed on or before.....September 21, 1976

Proof of completion of work shall be filed before.....October 21, 1976

Application of water to beneficial use shall be made on or before.....May 19, 1979

Proof of the application of water to beneficial use shall be filed on or before.....June 19, 1979

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed NOV 4 1975
Completion of work filed NOV 12 1976
Proof of beneficial use filed JUL 9 1979
Cultural map filed.....
Certificate No. 9813 Issued FEB 16 1982
Recorded.....Bk 33 Page.....

IN TESTIMONY WHEREOF, I, ROLAND D. WESTERGARD,
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this 21st day of March,

A.D. 1975

State Engineer